

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SEAN GALLAGHER, PIAGET VENTUS,
NICOLE ASCENSIO, IANOS ORTEGA,
individually on behalf of all similarly situated
individuals,

Plaintiffs,

v.

NATIONAL RESTAURANT ASSOCIATION
SOLUTIONS, LLC; NATIONAL RESTAURANT
ASSOCIATION D/B/A SERVSAFE, and any other
related entities and individuals

Defendants.

No. 1:23-cv-00435 (LGS)

The parties' letter states that the parties are going to mediation on August 15, 2023, following the close of fact discovery on August 3, 2023. As the parties' letter indicates, the use of mediation or any other alternative dispute resolution mechanism does not provide cause to stay discovery. Accordingly, the parties are expected to complete all fact discovery by August 3, 2023. So Ordered.

Dated: May 26, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

JOINT STATUS REPORT

Pursuant to this Court's May 15, 2023 Order (Dkt. No. 24), Plaintiffs Sean Gallagher, Piaget Ventus, Nicole Ascensio and Ianos Ortega, individually and on behalf of all others similarly situated ("Plaintiffs") and Defendants National Restaurant Association Solutions, LLC and National Restaurant Association d/b/a Servsafe ("Defendants") jointly submit this status report and state as follows:

The procedural history and background of this matter is summarized in the parties' March 29, 2023, Rule 26(f) report to the Court (Dkt. No. 14).

With respect to mediation, the parties have engaged JAMS mediator Hon. Morton Denlow (Ret.) for a full-day mediation session on Aug. 15, 2023. The parties have agreed to split the fees for mediation and have exchanged documents and data that will aid the parties in assessing their respective positions and negotiating a potential resolution of this action.

The parties are mindful of the Court's admonition that voluntarily entering into mediation does not and will not automatically stay discovery in this matter. The parties have exchanged their Rule 26(a) Initial Disclosures and will serve written discovery requests on or before May 31, 2023 in compliance with this Court's prior discovery orders. The parties will also continue to exchange informal discovery as necessary to aid mediation.

The parties' second joint status report will be filed on or before June 26, 2023.

Dated: May 24, 2023

Respectfully submitted,

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